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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/919,326	07/31/2001	Robert W. Torres	41250/WPC/P526	3726

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EXAMINER

LUGO, CARLOS

ART UNIT PAPER NUMBER

3677

DATE MAILED: 03/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/919,326

Applicant(s)

TORRES ET AL.

Examiner

Carlos Lugo

Art Unit

3677

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 February 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-5 and 7-12 is/are pending in the application.
- 4a) Of the above claim(s) 2 and 6 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-5 and 7-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on (See Office Action) is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

1. This Office Action is in response to applicant's amendment filed on February 7, 2003. Claims 2 and 6 were cancelled.

Drawings

2. The drawings filed on July 31, 2001 and in February 7, 2003 (substitute drawings with corrections) are approved.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. **Claims 1,3-5,7,8 and 12 are rejected** under 35 U.S.C. 102(b) as being anticipated by US Pat No 3,077,572 to Zimmerman.

Regarding claims 1 and 12, Zimmerman discloses a device comprising a sleeve (20) and a molded skirt (22) integrally formed on the sleeve. The skirt comprises an interior surface and a sealing surface.

The sealing surface has substantially the same shape as the interior surface of the cavity, such that the sealing surface is not substantially wrinkled when the sealing surface is in sealing contact with the interior surface of the cavity. The sleeve and the skirt are constructed from an electrically insulating material.

As to claims 3 and 8, Zimmerman discloses that the sleeve and the molded skirt are made of an elastomeric material.

As to claims 4 and 7, Zimmerman discloses that the sleeve includes a wiping land (26).

As to claim 5, Zimmerman discloses a device comprising a sleeve (20). The sleeve includes a longitudinal axis and an insertion end.

A molded skirt assembly (22) integrally formed on the sleeve. The skirt includes a first and a second integral sections extending in a plane, which is substantially perpendicular to the longitudinal axis.

The sealing surface has substantially the same shape as the interior surface of the cavity, such that the sealing surface is not substantially wrinkled when the sealing surface is in sealing contact with the interior surface of the cavity.

The sleeve and the skirt are constructed from an electrically insulating material.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 1,3-5 and 7-12 are rejected** under 35 U.S.C. 103(a) as being unpatentable over US Pat No 3,792,416 to Moulin in view of US Pat No 3,077,572 to Zimmerman.

Regarding claims 1,5,9 and 12, Moulin discloses a device for sealing a cavity that comprises an interior surface. The device comprises a sleeve (150).

However, Moulin fails to disclose a molded skirt integrally formed on the sleeve. Moulin discloses that when an integrally formed flange (158) is placed inside the cavity, forms a skirt comprising an interior surface and a sealing surface.

Zimmerman teaches that is known in the art to make a molded skirt (22) integrally formed on the sleeve (20).

It would have been obvious to one having ordinary skill in the art at the time the invention was made a molded skirt, as taught by Zimmerman, into a sealing device as described by Moulin, in order to make a better sealing between the inside surface of the cavity and the sealing surface and to prevent lost in the sealing contact because of excessive wrinkled.

As to claims 3 and 8, Moulin discloses that the sleeve and the molded skirt are made of an elastomeric material.

As to claims 4,7 and 10, Moulin discloses that the sleeve includes a wiping land (174).

As to claim 9, Moulin discloses a method comprising the step of inserting a portion of a structure (90) through a sleeve (150) of a sealing assembly.

However, Moulin fails to disclose a molded skirt integrally formed on the sleeve. Moulin discloses that when an integrally formed flange (158) is placed inside the cavity, forms a skirt comprising an interior surface and a sealing surface.

Zimmerman teaches that is known in the art to make a molded skirt (22) integrally formed on the sleeve (20).

It would have been obvious to one having ordinary skill in the art at the time the invention was made a molded skirt, as taught by Zimmerman, into a sealing device as described by Moulin, in order to make a better sealing between the inside surface of the cavity and the sealing surface and to prevent lost in the sealing contact because of excessive wrinkled.

As to claim 11, Moulin discloses that the wiping land cleans a portion of the interior surface of the cavity (Col. 9 Lines 13-16).

Response to Arguments

7. Applicant's arguments filed February 7, 2003 have been fully considered but they are not persuasive.

Regarding applicant's arguments that Moulin, as modified by Kilchenmann, fails to disclose the invention as claimed, the new rejection of Moulin, as modified by Zimmerman, discloses the invention as claimed. Furthermore, Zimmerman alone discloses the invention as claimed.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The patents cited further show the state of the art with respect to high-pressure seals.
9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carlos Lugo. The examiner phone number is (703)-305-9747. The fax number for correspondence before a final action is (703)-872-9326 and the fax number for correspondence after final action is (703)-872-9327.

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The email direction of the examiner is carlos.lugo@uspto.gov. The examiner can normally be reached on Monday to Friday from 9:30am to 6:30pm (EST). If the examiner is not available, please leave a message, including the application number and the examiner will answer the message as soon as possible.

March 11, 2003



J. J. SWANN
SUPERVISORY PATENT EXAMINER
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